

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA,

-against-

NOTICE OF MOTION

19 Cr. 365 (WFK)

RAYMOND LEONARD,
Defendant.
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PLEASE TAKE NOTICE that upon the declaration of Thomas F.X. Dunn, Esq., the accompanying memorandum of law, and all prior pleadings and proceedings herein, the defendant Raymond Leonard will move this Court before the Honorable William F. Kuntz, United States District Judge for the Eastern District of New York at a date and time fixed by the Court for an order granting the following relief:

(1) Dismissing the indictment since it (a) fails to set forth an aggravated felony committed by the defendant as a basis for this illegal re-entry charge and (b) for the denial of the defendant's due process right in an immigration hearing resulting in his deportation and (c) his inability to exhaust his administrative remedial remedies since he was deported before he could bring a habeas corpus petition concerning the denial of his due process rights at his deportation hearing.

(2) For such other and further relief as this Court may deem just and proper.

Dated: November 18, 2020
New York, New York

Respectfully submitted,
/s/
Thomas F. X. Dunn

Cc: Andrew Grubin Esq.
Assistant U.S. Attorney
(by ECF)